

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT [SEATTLE] [TACOMA]

INTERNATIONAL MEZZO
TECHNOLOGIES INC,

Plaintiff,

v.

AIRBORNE ECS LLC,

Defendant.

CASE NO. 2:24-cv-01368-JNW

ORDER SETTING
TRIAL DATE AND
RELATED DATES

SCHEDULING DEADLINES

Having reviewed the parties' Joint Status Report and Discovery Plan, the Court sets the following trial and related dates:

EVENT

DATE

JURY TRIAL begins

June 22, 2026

Length of trial

Five days

Statement of asserted claims and preliminary
infringement contentions due

February 14, 2025

EVENT	DATE
Statement of preliminary non-infringement and invalidity contentions due	March 28, 2025
Deadline for joining additional parties	April 25, 2025
Parties to exchange claim terms, phrases, or clauses which they contend should be construed by the Court	May 15, 2025
Parties to exchange preliminary proposed constructions of disputed claim terms and provide list of proposed extrinsic evidence	May 30, 2025
Joint Claim Construction and Prehearing Statement due	July 14, 2025
Parties to disclose reports from expert witnesses, if any, regarding <i>Markman</i> issues	July 14, 2025
Parties to disclose rebuttal expert reports, if any, regarding <i>Markman</i> issues	August 13, 2025
Deadline for completion of claim construction discovery and for amending pleadings	September 2, 2025
Opening claim construction briefs filed by (and noted for the date that the responsive claim construction briefs are due)	September 5, 2025
Responsive claim construction briefs filed by	September 20, 2025
Technology tutorial (if necessary) at 09:00 AM on	October 6, 2025

EVENT	DATE
<i>Markman</i> hearing at 09:00 AM on	October 20, 2025
Deadline to serve final invalidity contentions	Within 30 days of the Court's issuance of its Claim Construction Order
Non- <i>Markman</i> factual discovery completed by	December 19, 2025
Reports from expert witnesses under FRCP 26(a)(2) due	January 16, 2026
Rebuttal expert reports due	January 30, 2026
All discovery motions must be filed by (and noted on the motion calendar 21 days from the filing date; <i>see</i> LCR 7(d)(3))	February 6, 2026
Non- <i>Markman</i> expert discovery completed by	February 27, 2026
All dispositive motions must be filed by (and noted on the motion calendar 28 days from the filing date; <i>see</i> LCR 7(d)(4))	March 9, 2026
All motions related to expert witnesses (<i>e.g.</i> , Daubert motion) must be filed by and noted on the motion calendar no later than 21 days thereafter (<i>see</i> LCR 7(d)(3))	March 9, 2026
Settlement conference per LCR 39.1(c)(2) held no later than	March 30, 2026

EVENT**DATE**

All motions *in limine* must be filed by
(and noted on the motion calendar for 21 days before
the Pretrial Conference)

May 15, 2026

Agreed pretrial order due

June 5, 2026

Trial briefs, proposed voir dire questions, proposed
jury instructions, and trial exhibits due

June 5, 2026

Pretrial Conference at 09:00 AM on

June 12, 2026

The Local Rules set all other deadlines. Except as provided for in Judge Whitehead's Chambers Procedures, the dates listed in this order and set by the Local Rules are firm and cannot be changed by agreement between the parties. The Court may alter the dispositive motions deadline and the dates that follow, but only if good cause is shown. Failure to complete discovery within the time allowed does not establish good cause. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event must be performed on the next business day.

If the scheduled *Markman* hearing or trial date create an irreconcilable conflict, counsel must email Grant Cogswell, Courtroom Deputy, at grant_cogswell@wawd.uscourts.gov within 10 days of the date of this Order, explaining the exact nature of the conflict. Failure to do so will be treated as a waiver. Counsel and pro se parties must be prepared to begin trial on the date

1 scheduled but should understand that trial may have to await the completion of
2 other cases (e.g., criminal cases).

3 **PROCEDURAL MATTERS**

4 All counsel and pro se parties must be familiar with and follow the District's
5 Local Rules, Electronic Filing Procedures for Civil and Criminal Cases, and General
6 Orders, which can be found on the Court's website at [https://www.wawd.uscourts.](https://www.wawd.uscourts.gov/)
7 [gov/](https://www.wawd.uscourts.gov/). All counsel and pro se parties must also follow Judge Whitehead's Chambers
8 Procedures, which are available at [https://www.wawd.uscourts.gov/judges/](https://www.wawd.uscourts.gov/judges/whitehead-procedures)
9 [whitehead-procedures](https://www.wawd.uscourts.gov/judges/whitehead-procedures).

10 **SETTLEMENT**

11 If this case settles, the parties must notify Mr. Cogswell as soon as possible at
12 grant_cogswell@wawd.uscourts.gov. An attorney who fails to give prompt notice of
13 settlement may be subject to sanctions or discipline under LCR 11(b).

14 Dated this 30th day of January, 2025.

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16 Jamal N. Whitehead
17 United States District Judge
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